

REMARKS

Claims 23-54 are pending in this application. Claims 23 and 32 have been amended, Claims 43-54 are new. Entry of these claim amendments into the application and reconsideration of the pending rejection in conjunction with the RCE, is requested.

REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claim 24 stands rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office action specifically states “[i]t is unclear how long is ‘a period of time’ indicated in Claim 2.” [sic]

Reconsideration of this rejection is requested because the subsequent language in claim 24 recites that period time is “agreed upon by the certifying authority and the sender.” Consequently, contrary to the suggestion of the Office action, the period of time is definite even though a specific length is not specifically recited in the claim.

Claim 32 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office action specifically states “[i]t is unclear how ‘particular surround’ is indicated in Claim 32.”

Claim 32 has been amended and no longer contains this language. Consequently, the rejection should be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102

Claims 23, 25-31, 16, 38 and 41-44 stand rejected under 35 U.S.C. §102(e), as being anticipated by Kara (US 6,297,891).

Kara is entitled “Method & System for Electronic Document Certification.” It regards “a system and method for certified transmission of an electronic document, as verified by the generation of a certification indicia. Three embodiments of the system and method ... provid[e]

for the certified transmission of a document through an independent certification device or for direct transmission from a sender to a recipient.” See Kara Abstract.

In the Kara system “a code is added to each document or to each page of each document, with the code containing data pertaining to the exact transmission.” See Kara at col. 2:1-6. One of the embodiments of a Kara system regards transmission of a document to be certified from a sender through an independent certification system to a recipient, while two of the embodiments regard documents transmitted between sender and recipient with certification being provided by independent certification system.

In the first embodiment, the sending program encrypts the document to be sent with an encryption key received from the remote certification device. Upon encryption, the sender generates a cipher containing a total bit count of the electronic message and information such as the recipient’s electronic address, the time of document transmission, and the number of the pages in the transmission. The encrypted document and the cipher are sent by the sender to the certification device. The certification device verifies the received encrypted document against the cipher and, upon verification, transmits both the encrypted document and the cipher to the recipient indicated by the cipher. The recipient generates a cipher upon receipt and sends its back to the certifying system, which in turn verifies that the checksum of the encrypted electronic document originally matches the checksum generated by the recipient. If there is a match, the certifying system generates an indicia of certification and transmits it to the sender. See Kara at col. 4:40 – 5:50.

By comparison, claim 23 recites

after logging the recipient on to the certifying authority, generating by the certifying authority an encrypted hash value based on the inputs relating to the electronic package and the delivery thereof, the encrypted hash value uniquely identifying the particulars relating to the electronic package and the delivery thereof; and

transmitting an electronic certificate of service ... the electronic certificate of service including ... the encrypted hash value generated by the certifying authority after logging the recipient on to the certifying authority.

This claim language is neither disclosed nor suggested by Kara as the language recites generating an encrypted hash value after logging the recipient on to the certifying authority. Nowhere in Kara is this step disclosed or suggested. Based at least on this claim language, claim 23, and its dependent claims, are patentable over Kara.

REJECTIONS UNDER 35 U.S.C. §103

Claims 24, 32-35, 37, 39 and 40 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Kara (US 6,297,891) in view of Cook (US 6,732,101).

Cook is entitled “Secure Message Forwarding System Detecting User’s Preferences Including Security Preferences.” It regards a system and method for providing, among other things, secure email services between users that may not be employing identical encryption techniques.

Without waiving any argument as to the propriety of combining Kara and Cook, the undersigned submits that claim 23 and each of its dependent claims is patentable over both patents because, like Kara, Cook also fails to disclose or suggest the recited claim language from claim 23.

NEW CLAIMS 45-54

Support for the new claims can at least be found in Figures 4-6. The undersigned submits that the new claims are patentable over the cited references at least because they recite “after receiving a request . . . from the recipient, generating an encrypted hash value based on particulars relating to the delivery of the electronic package to the recipient and the contact of the electronic package,” as recited in Claim 45.

CONCLUSION

Reconsideration and notice of the patentability of the pending claims is requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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